

CLAIM OF: FROSOLONOSO WELLS,

through his attorney,

Kenneth S. Nugent

1355 Peachtree Street

Suite 1000

Atlanta, Georgia 30309

For damages alleged to have been sustained as a  
result of a vehicular accident on May 11, 2000 at  
332 Ponce de Leon Avenue.

THIS ADVERSED REPORT IS  
APPROVED

BY:



ROSALIND RUBENS NEWELL

DEPUTY CITY ATTORNEY

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0350

Date: June 26, 2000

Claimant /Victim FROSOLONOSO WELLS  
BY: (Atty) Kenneth S. Nugent  
Address: 1355 Peachtree Street, Suite 1000, Atlanta, Georgia 30309  
Subrogation: Claim for Property damage \$ Bodily Injury \$ not stated  
Date of Notice: 06/09/00 Method: Written, proper X Improper         
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 05/11/00 Place: 332 Ponce de Leon Avenue  
Department Public Works Division: Sanitary Services  
Employee involved Michael Garrett Disciplinary Action:       

NATURE OF CLAIM: The claimant, a City employee, alleges he was injured while riding in a City vehicle that was involved in a vehicular accident with a third party. As a City employee, the claimant's exclusive remedy for recovery against the City is through his Workers' Compensation benefits. The claimant's attorney has been advised to pursue this claim through Workers' Compensation.

### INVESTIGATION:

Statements: City employee        Claimant        Others        Written        Oral         
Pictures        Diagrams        Reports: Police X Dept Report X Other         
Traffic citations issued: City Driver        Claimant Driver         
Citation disposition: City Driver        Claimant Driver       


### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial         
Improper Notice        More than Six Months        Other X Damages reasonable         
City not involved        Offer rejected        Compromise settlement         
Repair/replacement by Ins. Co.        Repair/replacement by City Forces         
Claimant Negligent        City Negligent        Joint        Claim Abandoned       

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

### RECOMMENDATION:

Pay \$        Adverse X Account charged: 1A01        2J01        2H01         
Claims Manager:  Concur/date 06-26-00  
Committee Action:        Council Action

**KENNETH S. NUGENT, P.C.**  
**ATTORNEYS AT LAW**

1355 PEACHTREE STREET  
THE PEACHTREE, SUITE 1000  
ATLANTA, GEORGIA 30309  
(404) 875-0900  
FAX (404) 872-7562

*Mitchell*  
*06/09/00*  
*DM*

KENNETH S. NUGENT  
JOHN T. RUFF  
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WENDY A. HEANEY  
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MICHAEL G. ORR  
AHKIBAH KHAN

OFFICES  
THROUGHOUT  
GEORGIA

\* ALSO ADMITTED IN TENNESSEE  
♦ ADMITTED IN ALABAMA

June 5, 2000

ENTERED - 6-12-00 - SB  
00L0350 - DIANNE MITCHELL

VIA CERTIFIED MAIL

City of Atlanta  
Ste. 4100, City Hall Tower  
68 Mitchell St., S.W.  
Atlanta, GA 30335-0332

RE:    Client:                               : Michael Garrett, *Fresoloneso Wells, Robert Thomas*  
      Insured                               : City- Atlanta/Sanitation  
      Policy No.                           :  
      Date of Accident                   : 5/11/2000  
      Our File No.                        : 218646

Dear Sir/Madam:

Our firm represents Michael Garrett for personal injuries sustained as a result of the referenced accident.

Please advise us if your insured carries medical payments coverage, loss wage coverage and uninsured motorist coverage, and if so, your limits of said coverage.

Pursuant to O.C.G.A. 33-3-28, you are instructed to provide your insurance coverage information within 60 days of the date of the receipt of this letter.

We look forward to working with you in this matter.

Sincerely,

*Ken S Nugent*

Kenneth S. Nugent, Esq.

LRE/lre  
Encl.

00- *R*-1038